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Washington, Tuesday, March 22, 1949

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter III—Corps of Engineers, Department of the Army

PART 311—PUBLIC USE OF CERTAIN RESERVOIR AREAS

CROOKED CREEK RESERVOIR, PENNSYLVANIA

The Secretary of the Army having determined that the use of the Crooked Creek Reservoir, Crooked Creek, Pennsylvania, by the general public for boating, swimming, bathing, fishing, and other recreational purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of the reservoir for its primary purposes, hereby prescribes rules and regulations pursuant to the provisions of section 4 of the act of Congress approved December 22, 1944 (58 Stat. 889; 16 U. S. C. 460d) as amended by the Flood Control Act of 1946 (60 Stat. 641), for the public use of the Crooked Creek Reservoir Area, Pennsylvania, by amending Part 311 as follows:

Add a new paragraph (u) to § 311.1, and a new subparagraph (7) to § 311.4 (a) as follows:

§ 311.1 *Areas covered.* * * *

(u) Crooked Creek Reservoir Area, Crooked Creek, Pennsylvania.

* * * * *

§ 311.4 *Houseboats.* (a) A permit shall be obtained from the District Engineer for placing any houseboats on the water of any reservoir area listed in § 311.1, except for the following reservoir areas on which houseboats are prohibited:

* * * * *

(7) Crooked Creek Reservoir Area, Crooked Creek, Pennsylvania.

[Regs. Mar. 3, 1949, ENGWF] (58 Stat. 889, 60 Stat. 641; 16 U. S. C. 460d)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-2112; Filed, Mar. 21, 1949; 8:57 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

RUMANIA

In § 127.341 *Rumania* (13 F. R. 9211) amend paragraph (b) (5) (iv) by deleting the words "in English with an interlineation in either French or Rumanian" in the first sentence thereof.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-2101; Filed, Mar. 21, 1949; 8:46 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter III—Bureau of Federal Credit Unions, Social Security Administration, Federal Security Agency

PART 301—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

FEE FOR EXAMINATION AND FEES FOR FINAL EXAMINATION

Notice having been published in the FEDERAL REGISTER on March 4, 1949 (14 F. R. 991), that the Director of the Bureau of Federal Credit Unions, with the approval of the Commissioner for Social Security and the Federal Security Administrator, proposed to amend § 301.7 and § 301.8 of the regulations of the Bureau of Federal Credit Unions (45 CFR Cum. Supp. 301.7 and 301.8) relating to fees charged by the Bureau of Federal Credit Unions for examination and for final examination of Federal credit unions, and that prior to the official adoption of the proposed amendments consideration would be given to any data, views, or arguments pertaining thereto submitted to the Director of the Bureau of Federal Credit Unions, Federal Security Agency, Federal Security Building, Washington 25, D. C., within a period of fifteen days from the date of publication of the notice in the FEDERAL REGISTER, and the amendments proposed to be adopted

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

having been set forth in the FEDERAL REGISTER on page 991 (14 F. R. 991), and the fifteen day period having elapsed and no data, views, or arguments pertaining to the proposed amendments having been submitted, the proposed amendments as printed in the FEDERAL REGISTER (14 F. R. 991) are hereby adopted and promulgated as set forth below effective at the opening of business Monday, April 25, 1949, for all examinations of Federal credit unions commenced on or after April 25, 1949.

Dated: March 19, 1949.

[SEAL] C. L. ORCHARD,
Director,
Bureau of Federal Credit Unions.

A. J. ALTMEYER,
Commissioner for Social Security.

Dated: March 17, 1949.

J. DONALD KINGSLEY,
Acting Federal Security Administrator.

Sections 301.7 and 301.8 (13 F. R. 9344) are hereby amended to read as follows:

§ 301.7 *Fee for examination.* Each Federal credit union shall pay to the Bureau of Federal Credit Unions a fee for each examination. Except as provided in § 301.8 the fee shall be assessed at 35 cents per hundred dollars of the Federal credit union's assets as of the effective date of the examination or the cost of making the examination, whichever is lower: *Provided, however,* That the minimum fee for each examination shall be $3.50. The cost of making the examination shall be computed at the rate of $32.08 per examiner day: *Provided, however,* That during the month of December 1949, and during each December thereafter the cost per examiner day shall be recomputed and shall be reset by the Bureau of Federal Credit Unions on the basis of the following elements: (a) Average daily cost of salaries and travel expenses for credit union examiners (using 220 working days as basis for computation); (b) average daily cost of reviewing and typing examiners' reports as related to an examiner day; and (c) ten percent of the sum of items 1 and 2 above to defray the costs of overall planning and direction of the examination program and incidental costs for supplies, equipment, and communications directly applicable to examinations. For the purpose of computing the cost per examiner day, annual salaries at the rate in effect as of December 1, will be used; other items will be based on the experience in the fiscal year ended June 30. The check in payment of such fee shall be made payable to the Treasurer of the United States and the check shall be delivered to the examiner at the completion of the examination.

§ 301.8 *Fee for final examination.* At the completion of voluntary or involuntary liquidation of a Federal credit union, and prior to dissolution, each such Federal credit union shall be examined by the Bureau of Federal Credit Unions. For such final examination the Federal credit union shall pay a fee computed at 35 cents per $100 of the Federal credit union's assets as of the effective date of the final examination: *Provided, however,* That the minimum fee for each final examination shall be $3.50.

[F. R. Doc. 49-2151; Filed, Mar. 21, 1949; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

UNITED STATES STANDARDS FOR GRADES OF FRUIT PRESERVES (OR JAMS)

Correction

Table No. II of § 52.333, appearing in Federal Register Document 49–1030, page 619 of the issue for Friday, February 11, 1949, has been corrected and reads as follows:

TABLE NO. II—ALLOWANCES FOR DEFECTS

Kind of preserves (or jams) Type I only	Grade and score range	Stems				Leaves	Caps or portions	Other extraneous material	Loose sepal-like bracts	Seeds, pits, or portions			Peel	Blemished, underdeveloped or otherwise damaged
		Short	Small	Medium	Long					Pit or pieces of pit	Small pieces of pit	Pit fragments		
		⅛" or less	Over ⅛" to ¼" incl.	Over ¼" to ½" incl.	Longer than ½"									
		Maximum allowances												
Apricot	U. S. Grade A (34–40).	1 only per 16 ounces			None	1 only per 32 oz.		1 only per 200 ounces.		1 only per 200 ounces.			No limit	1 unit per 8 ounces.
	U. S. Grade B (28–33).	1 only per 8 ounces			None	1 only per 16 oz.		1 only per 128 ounces.		1 only per 200 ounces.			No limit	4 units per 8 ounces.
Peach Nectarine	U. S. Grade A (34–40).					None		1 only per 32 ounces.		1 only per 96 ounces.	1 only per 32 ounces.	1 only per 8 oz.	1 sq. inch per 16 oz.	2 units per 8 ounces.
	U. S. Grade B (28–33).					None		3 per 32 ounces.		1 only per 48 ounces.	1 only per 16 ounces.	2 only per 8 oz.	1 sq. inch per 8 oz.	8 units per 8 ounces.
Strawberry Raspberry Raspberry, Black Raspberry, Red	U. S. Grade A (34–40).	4 per 8 oz. except for Raspberries.	2 small or medium or long stems including only 1 long stem			½ sq. in. if measurable by area or 1 piece harmless extraneous material (such as weeds or grass).								4 units per 8 ounces.
			per 32 ounces											
	U. S. Grade B (28–33).	8 per 8 oz. except for Raspberries.	4 small or medium or long stems, including only 1 long stem			½ sq. in. if measurable by area or 1 piece harmless extraneous material (such as weeds or grass).								8 units per 8 ounces.
			per 32 ounces											

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 947]

HANDLING OF MILK IN FALL RIVER, MASS., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENT TO MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Supps. 900.1 et seq.), a public hearing was held at Fall River, Massachusetts February 2, 1949 pursuant to a notice issued on January 29, 1949 (14 F. R. 417), upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area.

A recommended decision, based on the record of such hearing, was issued by the Acting Assistant Administrator, Production and Marketing Administration, on February 21, 1949 (14 F. R. 859). Exceptions have been filed to that recommended decision and were considered in arriving at the findings and conclusions contained herein. The material exceptions are discussed specifically in the findings and conclusions with respect to the points to which such exceptions refer. However, to the extent that the findings and conclusions contained herein are at variance with any exception pertaining thereto, such exception is overruled.

The material issues presented on the record were concerned with the following:

1. Formula factors to be deducted from wholesale prices of cream and nonfat dry milk solids in determining Class II milk prices.

2. Formula factors to be used in determining the value of butterfat in excess of 3.7 pounds in each hundredweight of milk or the deduction in the hundredweight price to be permitted for milk averaging less than 3.7 pounds of butterfat per hundredweight.

3. The adjustment in Class II prices for milk received at plants located various distances from the Fall River market.

4. The rules for classification of producer milk in Class II when a handler is receiving milk from other sources.

5. The addition of definitions of milk and milk drinks and revision of other paragraphs of the order to utilize these terms as defined.

6. Limitation of the producer-handler exemption.

7. Extending the dates for making certain reports and listing the information required on each report.

8. Providing specifically for maintenance of records by handlers.

9. Establishing a separate rate of assessment for milk which is assessed under another Federal order.

10. General.

Findings and conclusions. The following findings and conclusions on material issues are based upon evidence introduced at the hearing and the record thereof.

1. *Formula factors to be used in determining Class II milk prices.* The record of the hearing indicated the need for maintaining Class II milk prices generally in line with market prices of cream sold wholesale and prices received for nonfat dry milk solids. A price for Class II milk in the Fall River market which maintains a reasonable relationship with the price of milk for similar uses in the Boston market is necessary because of the interrelationship of the Boston and Fall River markets.

Evidence at this hearing was concerned with the determination of factors relative to cream prices and nonfat milk

solids prices to be used in establishing the Fall River Class II price.

The Boston milk order provides for allowances at country plants in the 201–210 mile zone of 57.5 cents in the months October through February in addition to 9.5 cents allowance for transporting Class II products to the city market. Seasonal increases in allowances in the other months add 6 cents more in August and September, 12 cents more in March, April and July, and 18 cents more in May and June. The Boston prices are applicable to the 201–210 mile zone which is about the center of the country plant area for that milkshed. Milk for the Fall River market is received principally at city plants. Considerable quantities of milk are also received at Fall River from country plants regulated under the Boston order. The Fall River handler's operations are more similar to the operations of country plants in the Boston milkshed since there is not the opportunity for the division of operations between country and city plants which is possible in a market supplied by a large system of country plants.

The Fall River handler does not have to incur the cost of shipping cream since he separates it at his city plant. The allowance for that factor in the Boston Class II price is not applicable to Fall River. On the other hand, the Fall River handler must dispose of the skim milk in about the same way as the country plant operator in the Boston market.

Excess skim milk in the form of manufactured dairy products competes for uses with products made by Boston manufacturing plants and products manufactured in other supply areas.

The Class II price for Fall River city plants should be established at a level equal to the Boston country plant price without the cream freight allowance.

Producer associations which also operate as handlers of surplus milk for the Fall River market proposed that Class II prices during the months of April, May and June be reduced further by 23 cents. During these months of flush milk production the producer associations pointed out that they provided a service to handlers by taking small lots of Class II milk from them and transporting it outside the area for surplus uses. Purchasers of this milk last year were principally ice cream manufacturers and cheesemakers. Buyers of milk for these uses last year would pay, for milk delivered to their manufacturing plants, no more than the Fall River city Class II price. The producer associations testified that the cost of the pick-up and delivery services was about 23 cents per hundredweight.

The allowances set forth herein are about 16 cents higher than the total allowance factors deducted from cream and nonfat solids prices last year. There is nothing in the record to indicate that purchasers of Class II milk will pay less for Class II milk relative to cream and nonfat solids markets than they would pay last year. Therefore the producer associations should be able to credit the 16 cents against their cost of handling the milk.

Some Class II milk is utilized in the Fall River market and no evidence was offered to indicate that Class II milk which does not have to be moved should be valued at a lower price. It is questionable, therefore, whether the full amount of the additional cost of handling certain Class II milk should be recognized in a lower price for all Class II milk. In view of the fragmentary evidence of the need for the special allowance, that factor should not be incorporated in the order at this time. The exception taken by the producer association on this point should be denied.

Although the representative of the producer associations indicated a preference for the computation of allowances in two factors, one applicable to the value of butterfat and one applicable to the value of skim milk, the record does not contain a basis for establishing this division of the allowances.

Exception was taken to the establishment of prices for Class II milk in Fall River equivalent to those established for the Boston area because such prices do not reflect a difference in assessment rate between the two areas. The record indicates that the determination of equivalent prices to producers in each of these two areas is desirable.

It is impossible to effectuate this goal on the one hand and at the same time recognize differences in certain cost items in the two areas.

2. *Formula factors to be used in determining butterfat differentials.* It was proposed at the hearing that the factors used in determining the butterfat differential be changed so that the resulting differential would conform more closely to the butterfat differential used in calculating prices under the Boston milk order. The butterfat differential used in determining prices for milk testing above or below 3.7 percent butterfat under the Boston order is computed by deducting from the price of one-tenth pound of butterfat in 40 percent cream, the cost of shipping butterfat in the form of cream the mileage distance of 201–210 miles. This distance represents about the midpoint of the Boston milk supply area. The butterfat differential under the Boston order is applicable, however, in each zone at the same rate.

In the Fall River market, milk is received principally at city plants and therefore a deduction for the cost of shipping cream is not applicable to the butterfat value. The record does not support any change in the computation of the butterfat differential.

3. *Adjustment in Class II prices for milk received at plants located various distances from Fall River.* Although the Fall River market is not usually supplied from country plants regulated by that order, there have been times when milk has been received from country plants and there is a need for a method of computing prices at such points. The country milk plant area in New England from which Fall River might draw milk is within the same area from which the Boston market regularly draws a large part of its milk supply. In the computation of price differentials for Class II milk received at plants various distances from the Fall River market, it is necessary to consider the prices which would be applicable to such plants if they were purchasing milk under the provisions of the Boston order. The Fall River market is approximately 50 miles further from the center of the country plant milk supply area than is the Boston market. The differentials for the Fall River market should be established, therefore, so that the Class II price for plants in the 251–300 mile zone from Fall River corresponds to the price at plants in the 201–250 mileage distance from Boston. In view of the minor nature of the country plant supply for Fall River, the price differentials based on 50-mile brackets are more suitable than the 10-mile graduations used in the Boston order.

4. *Classification of producer milk by handlers receiving milk from other sources.* The provisions of the Fall River order limit the quantity of producer milk which may be classified in Class II to 5 percent if a handler is receiving milk from other sources which could be allocated to Class II. A handler proposed that this rule of classification be removed. It was maintained that the competition of handlers for supplies of producer milk would prevent any handler from utilizing an unreasonable amount of producer milk in Class II. This provision is designed to direct the maximum quantity of producer milk into Class I uses in view of the inadequate supply of producer milk available for that use.

A handler excepted to the finding by the Assistant Administrator that the provision should be maintained. A review of the record indicates that such finding should be modified.

The data in the hearing record relative to milk production and sales in the market indicate that producer milk is still less than Class I requirements during each and every season of the year. The record indicates that during April, May and June Class II milk will have to be transported out of the market in order to make use of it. The transportation of Class II milk to manufacturing plants outside the marketing area is costly and tends to reduce the value of such milk to handlers. Therefore, no restriction should be placed on the utilization of Class II milk by handlers in the market during April, May and June in which months supplies of producer milk exceed the Class I requirements of the market.

5. *Definitions of "milk" and "milk drinks."* The terms "milk" and "milk drinks" should be defined in the order and these terms should be used in the order according to their definitions. The record indicates that heretofore milk has meant in some places in the order only the commodity usually known as milk and at other times it has meant all of the products of milk.

6. *Limitation of the producer-handler exemption.* The term "producer-handler" has been used in the Fall River order to designate any handler regardless of size who managed a herd of his own as well as a milk distribution business, but did not receive milk from other farmers. Certain of the producer-handlers operating in the Fall River market, although they purchased no milk from producers do have substantial sales and purchase large quantities of milk from other handlers. In order to effectively administer this order, it is necessary that the market administrator receive regular

reports of receipts and disposition of milk from all handlers who have sales in excess of 1,000 pounds daily other than bulk sales to other handlers. These reports must be verified, and the cost of that verification should be shared by the handlers who make such reports. The exemption of these larger producer-handlers has resulted in the assessment of regular handlers for these services which must be performed in connection with the producer-handlers.

One handler who would be subjected by this proposed amendment to the full regulation of the order objected to the proposal at the hearing and in a brief filed following the hearing. This handler maintained that there is no need to regulate a producer-handler regardless of his size. The record indicates that the larger producer-handlers who would be affected by this proposal receive substantial quantities of milk from other handlers. The enforcement of this regulation equally upon all handlers requires that the market administrator receive regular reports from these handlers so that he can verify the sources of their supplies.

7. *Dates for making reports.* The dates for filing reports and making price announcements should be extended to provide more time for preparation of these reports and announcements. The adoption generally of the 5-day work week has made it difficult to comply with the requirements for completing the various reports required. The extension of these dates for filing reports will not affect the time for paying producers.

8. *Maintenance of records.* Although the requirement that records of handlers be available for verification by the market administrator of reports filed with him indicates the necessity for maintaining such records, it is desirable that the requirement that records be maintained be stated specifically in the order.

9. *Basis for assessment.* Large quantities of milk are received in Fall River from plants which are regulated by another Federal order. To the extent that this milk has been assessed under another Federal order, the Fall River assessment is reduced. The cost of administering the Fall River order with respect to this milk which has been received at plants regulated by another order is reduced to some extent. However, the saving of expense by the Fall River market administrator on this particular milk is not directly related to the amount of assessment under the other order. For example, milk received in December 1948 from plants regulated by the Boston order was assessed in Fall River at the rate of 2½ cents per hundredweight. Milk received in January 1949 from plants regulated by the Boston order was assessed under the Fall River order only 2 cents per hundredweight. There was no reduction from December to January in the expense which the Fall River administrator had to incur on milk received from Boston order plants. The Fall River market administrator has determined that the cost of administering the Fall River order with respect to milk received from another Federal order is 3 cents per hundredweight at the present time. The maximum allowance rate should, therefore, be established at 3 cents per hundredweight.

10. *General.* (a) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, regulates the handling of milk in the same manner and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement upon which the hearings have been held; and

(c) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8 (e) of the act are not reasonable in view of the price of feed, available supplies of feed, and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, are such as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the Fall River, Massachusetts, Marketing Area" and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Fall River, Massachusetts, Marketing Area" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

It is hereby ordered that all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 17th day of March 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order[1] Amending the Order, as Amended, Regulating the Handling of Milk in the Fall River, Mass., Marketing Area

§ 947.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps. 900.1 et seq.), a public hearing was held on February 2, 1949, upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearings and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

(b) *Additional findings.* (1) It is hereby found that a pro rata assessment of handlers on the basis and at the rates set forth in § 947.10, as amended, and as hereby further amended will provide the funds necessary for the maintenance and functions of the market administrator in the administration of this order and such assessment is approved.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Fall River, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders have been met.

1. In § 947.1, add:

(q) "Milk" means the commodity received from a dairy farmer at a plant as cow's milk. The term also includes milk so received which later has its butterfat content adjusted to at least one-half of 1 percent but less than 16 percent, frozen milk, and reconstituted milk.

(r) "Milk drinks" means flavored milk, skim milk, flavored skim milk, cultured skim milk, and buttermilk, either individually or collectively.

2. Delete § 947.1 (j) and substitute:

(j) "Producer-handler" means a producer who is also a handler who receives no milk from producers and who during the delivery period disposes of no more than 1,000 pounds on a daily average of milk and milk drinks other than in bulk to another handler or producer-handler: *Provided,* That such handler shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence that the maintenance, care, and management of the dairy animals and other resources necessary for the production of milk in his name are and continue to be the personal enterprise of and at the personal risk of such producer and the processing, packaging, and distribution of the milk are and continue to be the personal enterprise of and at the personal risk of such producer in his capacity as a handler.

3. In § 947.1, delete paragraph (m) and substitute:

(m) "Other source milk" means all milk and milk products received by a handler which is not producer milk, milk delivered by dairy farmers designated for other markets, or milk and milk drinks from a Federal order plant.

4. Delete § 947.3 (a) (1), (2), (3), and (4) and substitute therefor:

(a) *Submission of reports.* Each handler shall report to the market administrator in the form and detail prescribed by the market administrator, as follows:

(1) On or before the 8th day after the end of each delivery period, the receipts of milk and milk products at each plant from producers, from other handlers, from such handler's own production, from any other sources during the delivery period, and inventories on hand at the beginning and end of each such delivery period;

(2) On or before the 8th day after the end of each delivery period, the respective quantities of milk and milk products which were sold, distributed, or disposed of, including sales or deliveries to other handlers during the delivery period, for the several purposes and classifications as set forth in § 947.5;

(3) On or before the 20th day of each delivery period each handler shall report to the market administrator the receipts of milk from producers received during the first 15 days of such delivery period showing for each producer:

(i) The daily and total receipts of milk;

(ii) The average butterfat test thereof; and

(iii) The current post office address and farm location of producers for whom information has not been previously reported.

(4) On or before the 8th day after the end of each delivery period each handler shall report to the market administrator his receipts of milk from producers received during the period from the 16th through the last day of the delivery period showing for each producer:

(i) The daily and total receipts of milk;

(ii) The average butterfat test thereof; and

(iii) The current post office address and farm location of producers for whom information has not been previously reported.

(5) On or before the 25th day after the end of each delivery period each handler shall submit to the market administrator his producer records for such delivery period which shall show for each producer:

(i) The total pounds of milk delivered and the average butterfat test thereof; and

(ii) The net amount of such handler's payments to each producer and each cooperative association made pursuant to § 947.8 together with the prices, deductions and charges involved.

5. In § 947.3 (a) renumber subparagraphs (5), (6), and (7) as (6), (7), and (8); in subparagraph (7) as renumbered change the reference to subparagraph "(5)" to read subparagraph "(6)", and in subparagraph (8) as renumbered delete the term "7th" and substitute "8th."

6. In § 947.7 (c) delete the term "11th" and substitute "12th."

7. In § 947.9 (a) delete the term "15th" and substitute the term "17th."

8. In § 947.9 (b) after the words "and pay an equivalent amount" insert the words "on or before the 20th day after the end of the delivery period."

9. In § 947.3, add:

(d) *Maintenance of records.* Each handler shall maintain detailed and summary records showing all receipts, movements and disposition of milk and milk products during the delivery period and the quantities of milk and milk products on hand at the end of the delivery period.

10. Delete § 947.5 (a) and (b) and substitute:

(a) *Responsibility of handlers.* In establishing the classification of milk and milk products received by a handler the burden rests upon the handler who received milk from producers to account for all milk and milk products received at each plant at which milk is received from producers, and to prove that such milk and milk products should not be classified as Class I. The burden rests upon the handler who distributes milk and milk drinks in the marketing area to establish the source of all milk and milk products received.

(b) *Classes of utilization.* The classes of utilization of milk and milk products shall be as follows subject to paragraphs (c) and (d) of this section:

(1) Class I milk shall be all milk and milk products the utilization of which is not established as Class II milk.

(2) Class II milk shall be all milk and milk products the utilization of which is accounted for as:

(i) Sold, distributed, or disposed of other than as milk which contains one-half of 1 percent or more but less than 16 percent of butterfat, and other than as chocolate or flavored whole or skim milk, buttermilk, or cultured skim milk, for human consumption; and

(ii) Actual plant shrinkage not in excess of 2 percent of milk and milk drinks received from all sources including the handler's own production but not including receipts from other handlers who receive milk from producers or milk and milk products received completely processed and packaged from a Federal order plant.

11. Revise the title of § 947.5 (c) to read as follows:

(c) *"Transfers of milk and milk drinks from a plant at which milk is received from producers."*

and delete subparagraph (3) under that title and substitute:

(3) Transfers to a plant, other than a handler's plant at which milk is received from producers or a Federal order plant, shall be Class I not to exceed the total Class I at such plant during the delivery period.

12. Delete § 947.5 (d) through subparagraph (6) and substitute:

(d) *Classification of milk and milk products received at plants at which milk is received from producers.* For each delivery period each handler shall report the classification of milk and milk products which were received at plants at which milk is received from producers by making computations in the order indicated as follows:

(1) Determine the pounds of milk and milk products received at all plants of the handler at which milk is received from producers:

(i) From producers, including own production,

(ii) From dairy farmers designated for other markets,

(iii) In the form of milk products received completely processed and packaged from a Federal order plant,

(iv) In the form of bulk milk and milk drinks received from another Federal order plant,

(v) From other handlers who receive milk from producers, and

(vi) From other sources, and the total.

(2) Determine the total pounds of milk and milk products utilized in Class II products including allowable plant shrinkage as provided in paragraph (b) (2) (ii) of this section.

(3) Prorate allowable plant shrinkage classified as Class II to receipts from producers, from dairy farmers designated for other markets, bulk receipts of milk and milk drinks from other Federal order plants, and milk and milk drinks from other source milk, and deduct such plant shrinkage from total Class II computed pursuant to subparagraph (2) of this paragraph.

(4) Classify remaining other source milk and milk products as Class II in an amount no greater than the amount of the Class II remaining.

(5) From the remaining pounds in each class deduct:

(i) The quantity of milk and milk products received from other handlers who receive milk from producers which is classified according to paragraph (c) (2) of this section, and

(ii) Milk and milk products received completely processed and packaged from a Federal order plant classified according to the actual use established.

(6) Prorate remaining Class II to receipts of milk and milk drinks from producers, from dairy farmers designated for other markets and bulk receipts from Federal order plants: *Provided*, That receipts from producers classified as Class II inclusive of plant shrinkage shall not exceed 5 percent of the total quantity received from producers, in any delivery period except April, May and June.

13. Delete § 947.6 (b) and substitute:

(b) *Class II prices.* (1) Each handler shall pay producers or cooperative associations for their milk in the manner set forth in § 947.8 and subject to subparagraph (2) of this paragraph not less than the price per hundredweight, for milk containing 3.7 percent butterfat, calculated for each delivery period as follows:

(i) Divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market, as reported by the United States Department of Agriculture for the delivery period during which such milk is delivered and multiply the result by 3.7.

(ii) Using the midpoint in any range as one price, compute the average of the prices per pound of roller process nonfat dry milk solids suitable for human consumption, in barrels, in carlots, as published during the month by the United States Department of Agriculture for New York City, subtract one-half cent, and multiply the remainder by 7.5.

(iii) Add the results obtained in subdivisions (i) and (ii) of this subparagraph, and from the sum subtract the amount shown below for the applicable month.

Month	*Amount*
January and February	57.5
March and April	69.5
May and June	75.5
July	69.5
August and September	63.5
October, November and December	57.5

(2) For milk delivered to a handler from producers' farms at a plant for which the railroad freight mileage distance from the shipping point for such plant to Fall River is 101 miles or more, the price shall be the amount computed pursuant to subparagraph (1) of this paragraph less the applicable amount set forth in Column B of the following table:

DIFFERENTIALS FOR THE DETERMINATION OF CLASS II ZONE PRICES

A	B
Zone (railroad miles from Fall River)	*Differential (cents per hundredweight)*
0–100	No differential
101–150	2.5
151–200	3.5
201–250	5.0
251–300	6.5
301–350	7.5
351–400	8.5
401 and over	9.0

14. Delete § 947.10 and substitute:

§ 947.10 *Expense of administration*—(a) *Payments by handlers.* As his pro rata share of the expense of administration hereof, each handler not a producer-handler shall, on or before the 17th day after the end of each delivery period, pay to the market administrator 5 cents per hundredweight or such lesser amount as the Secretary may from time to time prescribe with respect to all milk and milk drinks received during such delivery period at a plant or plants described in subparagraphs (1) and (2) of this paragraph except milk and milk drinks received from other plants of the type described in subparagraphs (1) and (2) of this paragraph: *Provided*, That such handler, which is a cooperative association, shall pay such pro rata share of expense of administration on such milk which it causes to be delivered by member producers to a handler's plant for the marketing area and for which milk such cooperative association collects payment: *And provided further*, That the rate of payment shall be 3 cents per hundredweight or such lesser amount as the Secretary may from time to time prescribe with respect to milk and milk drinks assessed for the cost of administration of another Federal order:

(1) A plant at which milk is received from producers.

(2) A plant from which Class I milk is disposed of in the marketing area to persons other than handlers.

[F. R. Doc. 49-2142; Filed, Mar. 21, 1949; 8:47 a. m.]

DEPARTMENT OF LABOR

Child Labor Branch

[29 CFR, Part 422]

[Hazardous-Occupations Order 6, Amdt.]

OCCUPATIONS PARTICULARLY HAZARDOUS FOR EMPLOYMENT OF MINORS BETWEEN 16 AND 18 YEARS OF AGE OR DETRIMENTAL TO THEIR HEALTH OR WELL-BEING; EXPOSURE TO RADIOACTIVE SUBSTANCES

NOTICE OF PROPOSED RULE MAKING

Hazardous-Occupations Order No. 6, effective May 1, 1942 (7 F. R. 2591), provides that the following occupations involving exposure to radioactive substances are particularly hazardous and detrimental to health for minors between 16 and 18 years of age: Any work in any workroom in which (1) radium is stored or used in the manufacture of self-luminous compound, (2) self-luminous compound is made, processed, or packaged, (3) self-luminous compound is stored, used, or worked upon, or (4) incandescent mantles are made from fabric and solutions containing thorium salts, or are processed or packaged.

Since the effective date of Hazardous-Occupations Order No. 6 and the development of atomic energy, new radioactive substances, known as radioactive isotopes, have been introduced into industry. Accordingly, an amendment to Hazardous-Occupations Order No. 6 to extend the order to such new radioactive substances is proposed.

Notice is hereby given pursuant to the Administrative Procedure Act that under the authority conferred by section 3 (l) of the Fair Labor Standards Act and Reorganization Plan No. 2, effective July 16, 1946, pursuant to the Reorganization Act of 1945 (59 Stat. 613), and pursuant to the Procedure Governing Determinations of Hazardous Occupations (29 CFR, Part 421), the Secretary of Labor proposes to amend § 422.6 (a) to read as follows:

§ 422.6 *Occupations involving exposure to radioactive substances*—(a) *Finding and declaration of fact.* The following occupations involving exposure to radioactive substances are particularly hazardous and detrimental to health for minors between 16 and 18 years of age: Any work in any workroom in which (1) radium is stored or used in the manufacture of self-luminous compound, (2) self-luminous compound is made, processed, or packaged, (3) self-luminous compound is stored, used, or worked upon, (4) incandescent mantles are made from fabric and solutions containing thorium salts, or are processed or packaged, or (5) other radioactive substances are manufactured, stored, or used.

Prior to the adoption of such amendment, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Secretary of Labor, Washington 25, D. C., within 30 days from publication of this notice in the FEDERAL REGISTER. Four copies of all written material should be submitted.

Signed at Washington, D. C., this 11th day of March 1949.

JOHN W. GIBSON,
Acting Secretary of Labor.

[F. R. Doc. 49-2133; Filed, Mar. 21, 1949; 9:01 a. m.]

NOTICES

NATIONAL MILITARY ESTABLISHMENT

Department of the Army

U. S. MILITARY GOVERNMENT FOR GERMANY

PETITIONS BY PUBLIC PROSECUTOR

The regulations of the Military Government for Germany (U. S.) are amended by addition of section 3.85a, as follows:

SEC. 3.85a *Petitions by Public Prosecutor pursuant to Article 70, Law No. 59.* Article 70 Military Government Law No. 59 (par. (a) of sec. 3.85) provides that, in certain circumstances, the Public Prosecutor at the seat of the Restitution Chamber may file on or before June 30, 1949, a petition on behalf of a successor organization where no petition for the restitution of confiscated property has been filed by December 31, 1948.

(a) Article 70 was not intended to serve as an extension of the filing period prescribed by Articles 11 (par. 1) and 56, but was designed to provide for cases in which Military Government, within a period of six months after the prescribed filing period, might grant special permission for the filing of petitions in extraordinary and meritorious cases;

(b) The consideration of requests for petitions pursuant to Article 70 is thus not obligatory upon the Public Prosecutor, but subject to the conditions set forth below, is a matter within his discretion;

(c) Public Prosecutors at the seat of the Restitution Chambers, after examining requests to file petitions, received by them under Article 70, should recommend for Military Government approval only those cases which they consider to be extraordinary and meritorious;

(d) Petitions shall be filed with the Central Filing Agency only after approval of each individual case by Military Government;

(e) A petition may be filed on behalf of a successor organization, pursuant to Article 70, only if the claim is within the scope of the appointment given the successor organization by Military Government;

(f) The Minister Presidents shall issue necessary regulations concerning venue.

By direction of the Military Governor.

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-2111; Filed, Mar. 21, 1949; 8:56 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

DESIGNATION OF AGENTS TO RECEIVE SERVICE OF PROCESS

Pursuant to the authority vested in me by resolution duly passed by the Board of Directors of Commodity Credit Corporation on February 16, 1949, pursuant to section 4 (d) of the Commodity Credit Corporation Charter Act, 62 Stat. 1070, 15 U. S. C. 714b (d), I hereby constitute and appoint the Directors and Acting Directors of the Production and Marketing Administration commodity offices and the Chairmen and Acting Chairmen of the State Production and Marketing Administration Committees as agents, to receive service of process in any action to which Commodity Credit Corporation shall be a party, brought in the respective States in which the offices of such agents are located. The name and address of the individual occupying any such office at the time suit is instituted may be obtained from the local County Agricultural Conservation Committee or from the Corporation's Washington office.

[SEAL] ELMER F. KRUSE,
Manager,
Commodity Credit Corporation.

MARCH 17, 1949.

[F. R. Doc. 49-2130; Filed, Mar. 21, 1949; 8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7820, 8298]

SCENIC CITY BROADCASTING CO., INC., AND R. I. BROADCASTING CO. (WRIB)

ORDER CONTINUING HEARING

In re applications of Scenic City Broadcasting Company, Inc., Middletown, Rhode Island, Docket No. 7820, File No. BP-4902; R. I. Broadcasting Company (WRIB), Providence, Rhode Island, Docket No. 8298, File No. BMP-2479; for construction permits.

The Commission having under consideration a telegraphic request filed March 10, 1949, by R. I. Broadcasting Company (WRIB), Providence, Rhode Island, requesting a 30-day continuance in the hearing presently scheduled for March 14, 1949, at Washington, D. C., upon the above-entitled applications for construction permits;

It is ordered, This 11th day of March 1949, that the request be granted; and that the hearing upon the above-entitled applications be continued to 10:00 a. m., Monday, April 18, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-2113; Filed, Mar. 21, 1949; 8:57 a. m.]

[Docket No. 8044]

JOHN J. DEMPSEY

ORDER CONTINUING HEARING

In re petition of John J. Dempsey, Docket No. 8044.

The Commission having scheduled a hearing upon the above-entitled matter for March 21, 1949, at Albuquerque, New Mexico; and

It appearing that the public interest, convenience and necessity would be served by a continuance of the said hearing;

It is ordered, This 11th day of March 1949, that the hearing upon the above-entitled matter be continued to 10:00 a. m., Monday, May 23, 1949, at Albuquerque, New Mexico.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-2114; Filed, Mar. 21, 1949; 8:58 a. m.]

[Docket Nos. 8850, 8851, 8852]

WILLIAM AND LEE A. ODESSKY ET AL.

ORDER CONTINUING HEARING

In re applications of William and Lee A. Odessky, Los Angeles, California, Docket No. 8850, File No. BP-6023; Leland Holzer, Long Beach, California, Docket No. 8851, File No. BP-6372; Essie Binkley West, Riverside, California, Docket No. 8852, File No. BP-6627; for construction permits.

The Commission having under consideration a petition filed February 28, 1949, by William and Lee A. Odessky, Los Angeles, California, requesting (1) that the hearing upon the above-entitled applications for construction permits presently scheduled for Washington, D. C., on March 21, 1949, be continued indefinitely, or that the place of hearing be changed to Los Angeles; and (2) that Stations KHJ and KIEV be removed as parties respondent in the proceeding; and

It appearing that, insofar as the petition requests an indefinite continuance of the hearing pending a recovery in health of William Odessky, it would be unfair to the other parties to the proceeding to grant such a continuance in the absence of information as to the probability of such recovery within a reasonable time; and

It further appearing that, insofar as the petitioner requests in the alternative that the entire hearing be held in Los Angeles in lieu of Washington, D. C., it is impracticable for the Commission's Engineering Department to conduct a complicated engineering hearing in Los Angeles because of the necessity of having the Commission's engineering files available during the course of the hearing; and that in addition the other parties to the proceeding have their engineering consultants in Washington and it would be greatly inconvenient for them to have the engineering hearing held in Los Angeles; and

It further appearing that, insofar as the petition requests that Stations KHJ and KIEV be removed as parties respondent in the proceeding on the basis

of measurements submitted by petitioner, that the measurements were not made in accordance with the procedures outlined in the Standards of Good Engineering for the taking of such measurements and accordingly are of little value in determining the question of interference; and

It is ordered, This 11th day of March 1949, that the petition be denied;

It further appearing that it has been determined that certain other applications are presently on file with the Commission which are apparently mutually exclusive with the above-entitled applications and that a continuance is necessary for this reason until such time as a determination has been made in this matter;

It is ordered, On the Commission's own motion, that the hearing upon the above-entitled applications be continued indefinitely.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-2115; Filed, Mar. 21, 1949; 8:58 a. m.]

[Docket No. 8716]

GREENWICH BROADCASTING CORP.

ORDER CONTINUING HEARING

In re application of Greenwich Broadcasting Corporation, Greenwich, Connecticut, Docket No. 8716, File No. BP-6315; for construction permit.

The Commission having scheduled a hearing upon the above-entitled application for March 14, 1949, at Greenwich, Connecticut; and

It appearing that the public interest, convenience and necessity would be served by a continuance of the said hearing;

It is ordered, This 11th day of March 1949, on the Commission's own motion, that the hearing upon the above-entitled application be continued to 10:00 a. m., Thursday, March 31, 1949, at Greenwich, Connecticut.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-2116; Filed, Mar. 21, 1949; 8:58 a. m.]

[Docket Nos. 9249, 9250, 9251]

SAN FERNANDO VALLEY BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of San Fernando Valley Broadcasting Company, San Fernando, California, File No. BR-1950, Docket No. 9249; for renewal of license of Station KGIL, and Helen Ruth Allen, Executrix (transferor) estate of C. P. M. Allen, deceased, File No. BTC-684, Docket No. 9250; Fayette J. Smalley, Jr. (transferee), J. G. Paltridge (competing applicant), File No. BTC-684, Supplement, Docket No. 9251; for consent to the transfer of control of San Fernando Valley Broadcasting Company, licensee of Station KGIL, San Fernando.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of March 1949;

The Commission having under consideration the above-entitled applications for consent to the transfer of control of San Fernando Valley Broadcasting Company, San Fernando, California, and also having under consideration a petition filed by J. G. Paltridge requesting that said applications be designated for hearing at the earliest practicable date and that the place of hearing be designated as San Fernando, California; and also having under consideration the application of San Fernando Valley Broadcasting Company for renewal of license of station KGIL;

Whereas the Commission, being unable to determine upon a consideration of the applications for consent to transfer of control that Fayette J. Smalley, Jr., is better qualified or that a transfer to that applicant would otherwise be in the public interest; and

Whereas, the Commission is unable to determine from consideration of the above-entitled application for renewal of license and from the said applications for consent to a transfer of control that a renewal of the license of station KGIL would be in the public interest;

It is ordered, That, pursuant to sections 309 (a) and 310 (b) of the Communications Act of 1934, as amended, and § 1.321 of the Commission's rules and regulations, the above-entitled applications are hereby designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order upon the following issues:

1. To determine whether the license granted to San Fernando Valley Broadcasting Company, or the rights and responsibilities incident thereto, have been in any manner, either directly or indirectly transferred, assigned or disposed of without the consent of the Commission, as required by the Communications Act of 1934, as amended, and particularly sections 309 (a) and 310 (b) thereof.

2. To determine whether the proposed transferees are legally, technically, financially and otherwise qualified to own the majority interest in and control San Fernando Valley Broadcasting Company, licensee of Station KGIL.

3. To inquire into the corporate charter and by-laws of San Fernando Valley Broadcasting Company, with particular reference to the provisions thereof relating to the sale or other transfer of capital stock.

4. To determine all contractual arrangements now existing or which have existed between the proposed transferor and any other parties for the sale of stock belonging to the Estate of C. P. M. Allen.

5. To secure full information as to the plans of the proposed transferee for staffing the station and their respective plans as to program and other operational policies.

6. To determine the financial qualifications of San Fernando Valley Broadcasting Company to continue operation of station KGIL.

7. To determine whether, in view of the facts adduced under the foregoing issues, the public interest, convenience or necessity would be served by a grant of the above-entitled application for renewal of license and, if such determination should be made in the affirmative, to determine further on a comparative basis which, if either, of the above-entitled applications for consent to a transfer of control should be granted.

It is further ordered, That, since the Commission has taken the foregoing action on its own motion and since it would not be conductive to orderly administrative practice to designate the time and place of hearing at this time, the petition of J. G. Paltridge is hereby dismissed.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-2118; Filed, Mar. 21, 1949; 8:58 a. m.]

[Docket Nos. 9247, 9248]

HAYGOOD S. BOWDEN AND CAMDEN BROADCASTING CORP.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Haygood S. Bowden (WACA), Camden, South Carolina, File No. BL-3284, Docket No. 9247; for license; and application of Haygood S. Bowden (assignor), and Camden Broadcasting Corporation (assignee), File No. BAP-102, Docket No. 9248; for assignment of construction permit of station (WACA).

At a session of the Federal Communications Commission held in Washington, D. C., on the 10th day of March 1949;

The Commission having under consideration the above entitled application for license to cover construction permit (BP-6020 as modified) authorizing a new standard broadcasting station at Camden, South Carolina (WACA), and having under consideration the above entitled application for assignment of said construction permit;

It appearing that the Commission, not being satisfied that it is in possession of full information as is required by the Communications Act of 1934, as amended, and being unable to determine from consideration of said application that grants of either or both of them would be in the public interest;

It is ordered, That, pursuant to sections 309 (a) and 319 (b) of the Communications Act of 1934, as amended, the above entitled applications, are hereby designated for hearing in consolidated proceeding at a time and place to be specified by subsequent order of the Commission on the following issues.

1. To determine whether the proposed assignee is, legally, technically, financially and otherwise qualified to own and control and to operate station WACA, Camden, South Carolina.

2. To determine the full contractual arrangements betwen the permittee and the Camden Broadcasting Corporation including the price and manner of payment and the properties to be received therefor.

3. To determine whether the construction permit granted to Haygood S. Bowden for station WACA, or the rights and responsibilities incident thereto, have been transferred, assigned or disposed of, directly or indirectly, without consent of the Commission in contravention of the Communications Act of 1934, as amended, and more particularly section 319 (b) thereof, and to secure information concerning, among other things, the following matters:

a. The method of financing of construction and operation of station WACA from date of grant of construction permit (BP–6020) to date and whether that financing varies materially from the representations made with respect thereto in the aforesaid application for construction permit.

b. The ownership of the physical facilities of station WACA.

c. The formation and functioning of the assignee corporation from April 7, 1948, the date of incorporation thereof, to date and its relationship, during that period, with the permittee.

4. To determine whether all contracts, obligations, undertakings and agreements which have been entered into by the permittee with respect to the ownership, operation, financing and control of station WACA have been reported to the Commission as is required by its rules and regulations and more particularly §§ 1.341, 1.342 and 1.343 thereof.

5. To secure full information as to the program service presently rendered by station WACA, and as to the plans of the proposed assignee with respect to programming and personnel at said station.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49–2119; Filed, Mar. 21, 1949; 8:58 a. m.]

[Change List 3, Corr.]

DOMINICAN REPUBLIC BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

DECEMBER 7, 1948.

Notifications under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement. List of changes, proposed changes, and corrections in assignments of Dominican Republic broadcast stations modifying appendix containing assignments of Dominican Republic broadcast stations (Mimeograph 47214–2) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

DOMINICAN REPUBLIC

Call letters	Location	Power	Time designation	Class	Probable date to commence operation
HIL (new)	Ciudad Trujillo	790 kilocycles, 500 w		III–B	February 1949.
HIG	do	900 kilocycles, (delete—see assignment on 950 kc).			
HIG	do	950 kilocycles, 250 w		IV	Do.
HI9U	Puerto Plata	1240 kilocycles, 250 w [1] (present assignment 7205 kc, 100 w).		IV	Do.
HIT	Ciudad Trujillo	1400 kilocycles, 200 w (present assignment 5010 kc, 100 w).		IV	Do.
HI2R (new)	San Crestobal	1450 kilocycles, 200 w		IV	Do.

[1] The frequency of HI9U was indicated as 1246 kc on Change List No. 3 as originally issued. A correction of this listing is embodied herein.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49–2120; Filed, Mar. 21, 1949; 8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E–6200]

MOUNTAIN STATES POWER CO.

NOTICE OF APPLICATION

MARCH 14, 1949.

Notice is hereby given that on March 14, 1949, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Mountain States Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Idaho, Oregon, Montana, Washington and Wyoming, with its principal business office at Albany, Oregon, seeking an order authorizing the issuance of $2,000,000 principal amount of First Mortgage Bonds, 3⅛% Series due April 1, 1979, to be issued as of April 1, 1949, and 50,770 shares of Common Stock without par value, to be issued in April 1949. The proposed Bonds will be sold at private sale to John Hancock Mutual Life Insurance Company and Provident Mutual Life Insurance Company of Philadelphia, and the Common Stock will be underwritten by an underwriting group represented by Merrill Lynch, Pierce, Fenner & Beane; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 29th day of March, 1949, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49–2099; Filed, Mar. 21, 1949; 8:45 a. m.]

[Docket No. E–6201]

HARTFORD ELECTRIC LIGHT CO.

NOTICE OF APPLICATION

MARCH 17, 1949.

Notice is hereby given that on March 16, 1949, the Hartford Electric Light Company (Hartford) a specially chartered corporation, organized under the laws of the State of Connecticut, filed an application, pursuant to section 203 of the Federal Power Act, seeking an order authorizing the merger of the Simsbury Electric Company (Simsbury) into and with Hartford. Hartford proposes to issue 4,000 shares of its common stock ($25. par) in exchange for the 1,000 outstanding shares of common stock ($100 par) of Simsbury; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 28th day of March 1949, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49–2110; Filed, Mar. 21, 1949; 8:47 a. m.]

[Docket No. G–1175]

ATLANTIC SEABOARD CORP.

NOTICE OF APPLICATION

MARCH 16, 1949.

Notice is hereby given that on March 4, 1949, an application was filed with the Federal Power Commission by Atlantic Seaboard Corporation (Applicant), a Delaware corporation having its principal place of business at Charleston, West Virginia, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing the construction and operation of measuring and regulating stations to measure gas proposed to be delivered to Consolidated Gas Electric Light and Power Company of Baltimore, Maryland (Consolidated).

The application states that by order dated January 26, 1949, in Docket No. G–854, the Commission authorized Applicant and its affiliate, Virginia Gas Transmission Corporation, to construct and operate certain facilities applied for in that application except for the construction by Applicant of a measuring and regulating station to measure gas for

delivery to Consolidated, that part of the amended application in Docket No. G–854 pertaining to proposed service of natural gas to Consolidated being dismissed without prejudice. Since the decision in Docket No. G–854, Consolidated has reviewed the estimates of its natural gas requirements on the basis of using natural gas for mixing purposes during the years 1950 and 1951 and converting to straight natural gas service during the year 1951 with the continued use of present facilities for the manufacture of gas for peak shaving and standby.

The application states that certificates recently issued by the Federal Power Commission provide for sufficient additional supply of natural gas to Applicant's parent company, Columbia Gas System, to permit Applicant to assume the revised lower estimated requirements of Consolidated.

The estimated total over-all capital cost of construction of the proposed facilities is $181,000 to be financed from funds on hand.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Atlantic Seaboard Corporation is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirement of § 1.8 or 1.10, whichever is applicable, of the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49–2100; Filed, Mar. 21, 1949; 8:46 a. m.]

[Projects Nos. 2004, 2014]

HOLYOKE WATER POWER CO. AND CITY OF HOLYOKE GAS & ELECTRIC DEPARTMENT

ORDER RECONVENING HEARING

MARCH 16, 1949.

On February 15, 1949, a public hearing on the above-entitled matters was commenced in Holyoke, Massachusetts, which continued until March 9, 1949, when the Presiding Examiner, acting upon the request of Commission staff counsel, suspended the hearing, to be reconvened at such time as may be fixed and determined by the Commission.

The Commission orders: The hearing on the above-entitled matters be reconvened on March 28, 1949, at 10:00 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., for the purpose of enabling the staff of the Commission to present further evidence respecting the economic feasibility of the Department's plan of redevelopment of the Connecticut River, at Holyoke, Massachusetts, as modified during the hearing on these matters.

Date of issuance: March 17, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49–2109; Filed, Mar. 21, 1949; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1–1608]

NORFOLK AND WASHINGTON STEAMBOAT CO.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 16th day of March A. D. 1949.

The Washington Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2–1 (b) promulgated thereunder, has made application to strike from registration and listing the Capital Stock, $100.00 Par Value, of Norfolk and Washington Steamboat Company.

The application alleges that (1) the issuer is incorporated in the State of Virginia; (2) the issuer is in the process of liquidation; (3) under the general laws of the State of Virginia the stock no longer may be transferred on the books of the issuer; (4) the transfer books of the issuer have been closed; and (5) the rules of the Washington Stock Exchange with respect to striking a security from registration and listing have been complied with.

Upon receipt of a request, prior to April 19, 1949, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49–2105; Filed, Mar. 21, 1949; 8:46 a. m.]

[File No. 1–2571]

STATE OF RIO GRANDE DO SUL

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 16th day of March A. D. 1949.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2–1 (b) promulgated thereunder, has made application to strike from registration and listing the Consolidated Municipal Loan Forty-Year 7% Sinking Fund Gold Bonds, due June 1, 1967 "Unstamped," of State of Rio Grande do Sul.

The application alleges that (1) holders of the above security have been offered the option to elect to accept the provisions of either one or the other of two plans, designated as "Plan A" and "Plan B," respectively; (2) Plan A provides for reduction in the interest rate to 2.25% per annum, for a cumulative sinking fund, and for extension of maturity of the original bonds to December 1, 2004; (3) Plan B provides that, in exchange for each $1,000 principal amount of this security, the holders would receive a cash payment of $125 and new 3¾% External Dollar Bonds of 1944 of the United States of Brazil in the principal amount of $500; (4) the special agent under Fiscal Agency Agreement dated June 7, 1944, has reported to the applicant exchange that of the original issue of $4,000,000, $2,032,500 have been canceled, $522,500 have been stamped in acceptance of Plan A and $1,250,500 have been surrendered for exchange under Plan B, leaving outstanding $194,500 of the original bonds of this issue remaining unstamped; (5) the reason for the proposed striking of this security from registration and listing on the applicant exchange is that in the opinion of the exchange the outstanding amount of the security has been so reduced as to make further dealings therein on the exchange inadvisable; and (6) the rules of the New York Stock Exchange with respect to striking a security from registration and listing have been complied with.

Upon receipt of a request, prior to May 24, 1949, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the offi-

cial file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-2106; Filed, Mar. 21, 1949; 8:47 a. m.]

[File No. 70-2044]

CENTRAL MAINE POWER CO.

SUPPLEMENTAL ORDER GRANTING AMENDED APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 15th day of March A. D. 1949.

Central Maine Power Company ("Central Maine"), a public-utility company and a direct subsidiary of New England Public Service Company, a registered holding company which in turn is a direct subsidiary of Northern New England Company, also a registered holding company, having filed an application and amendments thereto pursuant to the third sentence of section 6 (b) of the Public Utility Holding Company Act of 1935 with respect to the issue and sale by Central Maine pursuant to the competitive bidding requirements of Rule U-50 of $5,000,000 principal amount of First and General Mortgage Bonds, Series R, dated March 1, 1949, and maturing March 1, 1979;

The Commission, by order dated March 7, 1949, having granted said application, subject, among other things, to the condition that the proposed issue and sale should not be consummated until the results of competitive bidding had been made a matter of record and a further order entered on the basis thereof;

Central Maine having filed an amendment stating that the company offered said bonds for sale at competitive bidding and, on March 14, 1949, received the following bids:

Bidder	Interest rate	Price to company [1]	Cost of money to company
	Percent		
Salomon Bros. & Hutzler	3	100.2117	2.9893
Kuhn, Loeb & Co	3	100.201	2.9898
Halsey, Stuart & Co., Inc	3	100.20	2.9899
Shields & Co	3	100.135	2.9932
Harriman Ripley & Co., Inc	3⅛	102.324	3.0069
Kidder, Peabody & Co	3⅛	102.197	3.0132
The First Boston Corp., and Coffin & Burr, Inc	3⅛	102.1327	3.0165
Merrill Lynch, Pierce, Fenner & Beane	3⅛	102.02	3.0221
Otis & Co	3⅛	101.778	3.0343

[1] Exclusive of accrued interest.

The amendment further stating that Central Maine has accepted the bid of Salomon Bros. & Hutzler and that the bonds will be offered for sale to the public at an intial price of 100.79% of their principal amount, plus accrued interest, resulting in an underwriter's spread of 0.5783% of the principal amount of the bonds; and

The Commission having considered the record so supplemented and finding no basis for the imposition of terms or conditions with respect to the price to be received for said bonds, the interest rate and the redemption prices thereof, and the underwriter's spread; finding further that the Public Utilities Commission of Maine has entered a final order authorizing the proposed issue and sale; and the Commission deeming it appropriate to reserve jurisdiction with respect to the matters specified below and to grant the request of the applicant that the order herein become effective upon its issuance:

It is ordered, That the application as amended be, and it hereby is, granted, effective forthwith, subject however to the provisions of Rule U-24 and to the condition that jurisdiction be, and it hereby is, reserved with respect to the payment of all legal and accounting and auditing fees and expenses incurred or to be incurred in connection with the proposed transaction; and

It is further ordered, That, with the exception of jurisdiction with regard to the payment of legal and accounting and auditing fees and expenses, the jurisdiction reserved in our order of March 7, 1949, in this proceeding be, and it hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-2103; Filed, Mar. 21, 1949; 8:46 a. m.]

[File No. 70-2054]

COLUMBIA GAS SYSTEM, INC.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of March A. D. 1949.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, having filed a declaration and amendments thereto, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935, regarding the issue and sale, pursuant to the competitive bidding requirements of Rule U-50, of $20,000,000 principal amount of debenture due 1974; and

The Commission having, by order dated March 4, 1949, permitted said declaration, as amended, to become effective, subject to the condition, among others, that the proposed sale of debentures shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding, and a further order shall have been entered in the light of the record so completed; and jurisdiction having been reserved over the payment of all legal fees and expenses in connection with the proposed transaction; and

Columbia having, on March 15, 1949, filed a further amendment to said declaration in which it is stated that it has offered the debentures for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Bidder	Price to Columbia	Interest rate	Cost to Columbia
	Percent	*Percent*	*Percent*
Morgan Stanley & Co	100.057	3	2.996761
Salomon Bros. & Hutzler	102.1127	3⅛	3.004238
Halsey, Stuart & Co., Inc	101.881	3⅛	3.01737
Merrill Lynch, Pierce, Fenner & Beane	101.809	3⅛	3.021451
Lehman Brothers-Goldman, Sachs & Co., Union Securities Corp	101.781	3⅛	3.023038

The amendment further stating that Columbia has accepted the bid of Morgan Stanley & Co., for the debentures as set forth above and that the debentures will be offered for sale to the public at a price of 100.70% of principal amount thereof, resulting in an underwriter's spread of 0.643%; and

The Commission, having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for said debentures, the redemption prices thereof, the interest rate thereon and the underwriter's spread:

It is hereby ordered, That jurisdiction heretofore reserved in connection with the sale of said debentures be, and the same hereby is, released, and that the said declaration, as further amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

It is further ordered, That jurisdiction heretofore reserved over all legal fees and expenses in connection with the proposed transaction be, and the same hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-2102; Filed, Mar. 21, 1949; 8:46 a. m.]

[File No. 70-2061]

CITIES SERVICE CO. AND OHIO PUBLIC SERVICE CO.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 15th day of March A. D. 1949.

Cities Service Company ("Cities"), a registered holding company, and The Ohio Public Service Company ("Public Service"), a subsidiary of Cities, having filed a joint application-declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, 12 (b), 12 (d), and 12 (f) thereof and Rules U-44, U-45 and U-50 promulgated thereunder regarding the following transactions:

(a) The amendment by Public Service of its Articles of Incorporation to grant preemptive rights to the common stockholders and to increase the par value of its authorized and outstanding shares of common stock from $5.00 per share to

$7.50 per share through the transfer of $6,595,400 from Earned Surplus Account to Common Stock Capital Account.

(b) The sale by Cities, pursuant to the competitive bidding requirements of Rule U-50, of 638,160 shares of $7.50 par value common stock of Public Service and the application of the proceeds from such sale to the redemption of Cities' outstanding 5% Gold Debentures, due 1958.

(c) The issuance and sale by Public Service of 361,840 additional shares of its $7.50 par value common stock and $10,000,000 principal amount of First Mortgage Bonds, __% Series, due 1979, both pursuant to the competitive bidding requirements of Rule U-50. Proceeds of the sale of the common stock will be used by Public Service to retire its outstanding $3,000,000 bank loan note dated January 7, 1949 and for construction expenditures and the proceeds of the sale of the bonds will be deposited by Public Service with the Indenture Trustee and withdrawn upon the basis of property additions.

(d) The execution of a contract between Cities and Public Service which provides for the indemnification of Public Service by Cities against any liability for Federal income or excess profit taxes during the period covered by consolidated tax returns and ending on the date of the sale of the said common stock by Cities and for the assignment by Public Service to Cities of all of its rights to refunds or credits for Federal income or excess profit taxes during the said period and the payment by Public Service to Cities of an amount equal to Public Service's reserve for such taxes accrued on its books as of the date of the disposition by Cities of the Public Service common stock proposed herein.

Estimated fees and expenses to be incurred in connection with the proposed transactions aggregate $163,854 of which Cities will pay $60,890 and Public Service $102,964. Included in the estimated fees is an aggregate of $45,000 for legal fees of which $23,700 is to be paid by Public Service and $21,300 is to be paid by Cities, $15,000 for fees of The First Boston Corporation as financial adviser on the sale of the common stock, $5,000 of which is to be borne by Public Service and $10,000 by Cities, and $1,824 payable to Electric Advisers, Inc., a system service company, of which Cities will pay $814.00 and Public Service $1,010. The fee of independent counsel for the underwriters, to be paid by the successful bidder or group of bidders for the common stock and bonds, is estimated at $8,000 and $7,000, respectively, plus expenses of $400.

The joint application - declaration having been filed on February 10, 1949, and the last amendment thereto having been filed on March 15, 1949, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Cities having requested that the Commission issue an order with respect to the sale of the said 638,160 shares of Public Service common stock and the application of the proceeds therefrom toward the redemption of Cities' outstanding 5% Gold Debentures due 1958 conforming to the requirements of Supplement R and section 1808 (f) of the Internal Revenue Code, as amended; and

The Commission finding with respect to the issue and sale by Public Service of the proposed bonds and common stock that Public Service is entitled to an exemption from the provisions of sections 6 (a) and 7 of the Act pursuant to the provisions of section 6 (b) thereof, it appearing that the issuance of the said bonds and common stock is solely for the purpose of financing the business of Public Service and that the Public Utilities Commission of Ohio, the State Commission of the State in which Public Service was organized and is doing business, has expressly authorized the said proposed transactions, and the Commission further finding with respect to the other transactions proposed in the application-declaration, as amended, that all of the applicable statutory standards are satisfied and that there is no basis for making adverse findings with respect thereto; and the Commission deeming it appropriate in the public interest and in the interest of investors or consumers that said joint appplication-declaration, as amended, be granted and be permitted to become effective forthwith, subject to the terms and conditions specified below, and further deeming it appropriate to grant the request of Cities for an order conforming to the requirements of Supplement R and 1808 (f) of the Internal Revenue Code, as amended:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said joint application-declaration, as amended, be and the same hereby is, granted and permitted to become effective forthwith, subject to a reservation of jurisdiction with respect to the payment of all fees and expenses incurred or to be incurred in connection with the proposed transactions for legal services including those of independent counsel for underwriters, and for services of financial advisers and subject to the terms and conditions prescribed in Rule U-24 and to the additional conditions that the proposed sale of common stock by Cities and the proposed issuance and sale of common stock and bonds by Public Service shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record in this proceeding and a further order shall have been entered by the Commission in the light of the record so completed which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved at this time for such purpose.

It is further ordered and recited and the Commission finds, That the sale as aforesaid by Cities Service Company of 638,160 shares of common stock of The Ohio Public Service Company and the application of the proceeds thereof to the redemption by Cities Service Company of its 5% Gold Debentures due 1958, as hereinbefore in this order approved, are necessary or appropriate to the integration or simplification of the holding company system of which Cities Service Company and The Ohio Public Service Company are members, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 within the meaning of sections 371, 373 (a) and 1808 (f) of the Internal Revenue Code, as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-2104; Filed, Mar. 21, 1949; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 12339, Amdt.]

TAKAJIRO AND SATSU HARANAKA

In re: Fixed deposit account owned by Takajiro Haranaka and Satsu Haranaka.

Vesting Order 12339, dated November 12, 1948, is hereby amended as follows and not otherwise:

By deleting therefrom the name "Takajiro" wherever it appears in said order and substituting therefor the name "Takujiro."

All other provisions of said Vesting Order 12339 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on February 24, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2126; Filed, Mar. 21, 1949; 9:00 a. m.]

[Vesting Order 12504, Amdt.]

NATIONAL ALLGEMEINE VERSICHERUNGS GESELLSCHAFT

In re: Bank account, stock and bonds owned by National Allgemeine Versicherungs Gesellschaft. F-28-1349-E-1, F-28-1349-A-1.

Vesting Order 12504, dated December 3, 1948, is hereby amended as follows and not otherwise:

By deleting from Exhibit A, attached to and by reference made a part of said Vesting Order 12504, the certificate number 5212070 set forth with respect to "United States of Mexico (Internal Loan) (Estados Unidos Mexicanos, Deuda Interior) Series V—5% bonds" and substi-

tuting therefor certificate number 212070.

All other provisions of said Vesting Order 12504 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 11, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2127; Filed, Mar. 21, 1949; 9:00 a. m.]

[Vesting Order 12508, Amdt.]

ANNA SCHNORRENBERGER

In re: Bank account and securities owned by Anna Schnorrenberger.

Vesting Order 12508, dated December 3, 1948, is hereby amended as follows and not otherwise:

By deleting from Exhibit A attached to and by reference made a part of the aforesaid Vesting Order 12508 the certificate numbers M22483 and M40687/88 set forth with respect to Baltimore & Ohio Railroad First Mortgage 4% bonds of $1,000 face value each and substituting therefor certificate numbers M49250/2.

All other provisions of said Vesting Order 12508 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 11, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General
Director, Office of Alien Property.

[F. R. Doc. 49-2128; Filed, Mar. 21, 1949; 9:00 a. m.]

[Vesting Order 12897]

SHIGETOMO NAKAZAWA

In re: Bank account owned by Shigetomo Nakazawa, also known as Dr. S. Nakazawa. F-39-6129-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shigetomo Nakazawa, also known as Dr. S. Nakazawa, whose last known address is 113 Dokashiba-machi, Tenojiku, Osaka, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Shigetomo Nakazawa, also known as Dr. S. Nakazawa, by The First Trust Co. of Hilo, Ltd., 58-64 Keawe Street, Hilo, Hawaii, T. H., arising out of an open account, entitled Dr. S. Nakazawa, maintained at the aforesaid trust company, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2121; Filed, Mar. 21, 1949; 8:59 a. m.]

[Vesting Order 12898]

HARALD NEHLSEN

In re: Cash owned by Harald Nehlsen. F-28-1352-D-6/16.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Harald Nehlsen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Cash in the amount of $174.75 presently in the possession of the Attorney General of the United States in account number 28-21882 and representing the proceeds of sale of certain stock subscription rights issued in favor of Harald Nehlsen by Montgomery Ward & Co., Incorporated, 610 West Chicago Avenue, Chicago, Illinois,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2096; Filed, Mar. 18, 1949; 8:52 a. m.]

[Vesting Order 12904]

ROECHLING & CO. BANK

In re: Stock, bonds, scrip and bank accounts owned by and debt owing to Roechling & Co. Bank.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gebr. Roechling Bank, the last known address of which is Saarbruecken, Germany, is a corporation, partnership, association or other business organization organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Roechling & Co. Bank is a partnership organized under the laws of Switzerland, whose principal place of business is located at Basle, Switzerland, and is or, since the effective date of Executive Order 8389, as amended, has been owned or controlled by or acting or purporting to act directly or indirectly for the benefit of or on behalf of the aforesaid Gebr. Roechling Bank and is a national of a designated enemy country (Germany);

3. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Cudd & Co. and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with all declared and unpaid dividends thereon;

b. Those certain bonds described in Exhibit B, attached hereto and by reference made a part hereof, registered in the name of Cudd & Co. and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with any and all rights thereunder and thereto;

c. Six (6) Associated Gas & Electric Co. non interest scrip certificates, described in Exhibit C, attached hereto and by reference made a part hereof, registered in the name of Cudd & Co. and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with any and all rights thereunder and thereto;

d. Those certain debts or other obligations of the banks listed in Exhibit D, attached hereto and by reference made a part hereof, arising out of the accounts whose titles are set forth in Exhibit D, and any and all rights to demand, enforce and collect the same;

e. That certain debt or other obligation owing to Roechling & Co. Bank by J. & W. Seligman & Co., 65 Broadway, New York 6, New York, in the amount of $14.14 as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Roechling & Co. Bank, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That Roechling & Co. Bank is owned or controlled by or acting or purporting to act directly or indirectly for the benefit of or on behalf of the aforesaid Gebr. Roechling Bank and is a national of a designated enemy country (Germany); and

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name and address of corporation	State of incorporation	Type of stock	Certificate No.	Number of shares
Abercrombie & Fitch Co., 356 Madison Ave., New York, N. Y.	New York	$75 par value $6 cumulative preferred stock.	NP 503	11
Do	do	$1 par value common capital stock.	NC 487	5
Associated Gas & Electric Co.	do	No par value $6 cumulative preferred stock.	XO 24684	1
Chicago, Milwaukee & St. Paul Ry. Co., Chicago, Ill.	Wisconsin	No par value common capital stock.	CO 40777	20
General Telephone Corp., 80 Broad St., New York, N. Y.	New York	$20 par value common capital stock.	CO 2690	21
Lincoln Building Corp., 60 East 42d St., New York, N. Y.	do	$1 par value common capital stock.	0522	10
Norfolk & Western Ry. Co., Roanoke 17, Va.	Virginia	$100 par value common capital stock.	137759	1

EXHIBIT B

Description of issue	Face value	Bond Nos.
Associated Gas & Electric Co., convertible 5% obligations, series A due 2002	$500	BT 5329.
Associated Gas & Electric Corp., convertible 4½% debentures due 1973	250	HRM 1544.
Lincoln Building Corp., 5½% cumulative income bond due 1963	500	RM 9781.

EXHIBIT C

Face value:	*Certificate No.*	Face value:	*Certificate No.*
$11.25	NS 41177.	$5.62	NO. 4 NS 10123.
$33.75	NO. 2 NS 40577.	$5.62	NO. 6 NS 9965.
$33.75	NO. 3 NS 10624.	$5.62	NO. 8 NS 9831.

EXHIBIT D

Name and address of bank	Type of account	Title of account
Manufacturers Trust Co., 55 Broad St., New York, N. Y.	Commercial	Roechling & Co. Bank, Basle, Switzerland.
The Chase National Bank of the City of New York, 18 Pine St., New York, N. Y.	Checking	Do.
	do	Roechling & Co. Bank, Basle Switzerland, General Ruling 6 a/c F 84135.
Guaranty Trust Company of New York, 140 Broadway, New York, N. Y.	Current	Roechling & Co. Bank.

[F. R. Doc. 49-2097; Filed, Mar. 18, 1949; 8:52 a. m.]

[Vesting Order 12944]

DEBT OWING TO JAPAN

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

That the property described as follows: Cash in the sum of $613,932.71, presently on deposit with the Treasurer of the United States in a special deposit account entitled "Secretary of the Treasury, Proceeds of Withheld Foreign Checks", and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 11, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2125; Filed, Mar. 21, 1949; 9:00 a. m.]

[Return Order 287]

KAZUO FUKUNAGA ET AL.

Having considered the claims set forth below and having issued a determination allowing the claims which are incorporated by reference herein and filed herewith and Notice of Intention to Return having been published on February 8, 1949 (14 F. R. 556)

It is ordered, That the claimed property, described below and in the determination, be returned subject to any increase or decrease resulting from the administration thereof prior to return, after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property
Kazuo Fukunaga, 1914-E Liliha St., Honolulu, T. H.	40481	$11.34
Chimi Adachi by M. Adachi, 3738-A Manini Way, Honolulu, T. H.	40489	4.05
M. Adachi, guardian of Emily Kaye Adachi, 3738-A Manini Way, Honolulu, T. H.	40490	.31
Masayuki Adachi, guardian of Sachie Adachi, 3738-A Manini Way, Honolulu, T. H.	40491	5.00
Urayo Akita or Yasutaro Akita, P. O. Box 521, Waialua, Oahu, T. H.	40492	1,566.61
Shozaemon Amimoto, 764 Pohukaina St., Honolulu, T. H.	40493	1.12
Shozaemon Amimoto, trustee for Masaji Amimoto, 764 Pohukaina St., Honolulu, T. H.	40494	133.65
Shigeichi Nakamoto, d/b/a Beretania Florist, 1295 S. Beretania St., Honolulu, T. H.	40495	749.28
Boulevard Market, c/o J. Fujimoto, K. Tanigawa, and S. Tanigawa, 1423 Dillingham Blvd., Honolulu, T. H.	40496	1,083.35
Philip Tsuyoshi Fukushima, 948 Akepo Lane, Honolulu 51, T. H.	40501	47.03
M. K. Hayashi, 1447 South King St., Honolulu, T. H.	40503	1,278.11
Buntaro Higa, 1341 Young St., Honolulu, T. H.	40504	19.84
Utaro Hikichi, Ewa, Oahu, T. H.	40505	450.23
Hisako Hirai, 752 University Ave. Extended, Honolulu, T. H.	40506	168.01
Mitsue Hirano, 4720 Farmers Rd., Honolulu, T. H.	40507	27.24
Masao Ikezawa, c/o Moana Hotel, Honolulu, T. H.	40508	133.65
Teikichi Kanai, trustee for Keisaku Kaneda, 1946 South Beretania St., Honolulu, T. H.	40511	49.81
Fukujiro Kashiwai, Pakala, Waimea, Kauai, T. H.	40512	11.62
Kikuyo Kawahara, 145 South School St., Honolulu, T. H.	40514	12.95
Kikuyo Kawahara, guardian of Takiko Kawahara, 145 South School St., Honolulu, T. H.	40515	38.61
Hisa Furutomo, 277 Huali St., Honolulu, T. H.	40499	431.87
Nobuo Miyaoka, a/k/a N. Miyaoka, 557 Halekauwila St., Honolulu, T. H.	40519	153.49
Takejiro Miyashita, 1711 Citron St., Honolulu, T. H.	40520	365.77
Takejiro Miyashita, trustee for Tetsuo Miyashita, 1711 Citron St., Honolulu, T. H.	40521	50.71
Shime Murayama, 1403 Emma St., Honolulu, T. H.	40522	198.14
Shime Murayama, guardian of Masato Murayama, 1403 Emma St., Honolulu, T. H.	40523	21.13
Tsugie Nakamura, 4944 Kalanianaole Highway, Honolulu, T. H.	40524	76.24
Yoshimasa Nakamura or Tsuma Sakai, 2018-A Pauoa Rd., Honolulu 23, T. H.	40525	606.70
Genji Nakano, P. O. Box 281, Waikele, Waipahu, Oahu, T. H.	40526	2,812.72
Junichi Namba, 3831 Manoa Rd., Honolulu, T. H.	40529	107.30
Sadae Namba, 3831 Manoa Rd., Honolulu, T. H.	40530	120.34
Asa Namba or Sucmatsu Namba, 3831 Manoa Rd., Honolulu, T. H.	40531	2,486.54
Kaoru Fukushima, 948 Akepo Lane, Honolulu 51, T. H.	40500	618.84
Matsutaro Oishi, 215 Puuhale Rd., Honolulu, T. H.	40533	131.73
Mrs. Rui Okumura, P. O. Box 240, Wahiawa, Oahu, T. H.	40534	52.01
Araji Onoye, 2038 Puna St., Honolulu, T. H.	40535	154.50
Araji Onoye, Trustee for Tokimi Onoye, 2038 Puna St., Honolulu, T. H.	40536	112.30
David Vall Pokipala, 922 Laki St., Honolulu, T. H.	40537	42.56
Katsusuke Yamamoto, 1042 Kama Lane, Honolulu, T. H.	40538	49.70
Shigeo Sugiyama, c/o Mrs. T. Yokoyama, P. O. Box 15, Makawao, Maui, T. H.	40539	96.64
Ichiki Kanda, c/o Dorothy Chinen, 263 Kuulei Rd., Lanikai, Oahu, T. H.	40541	150.22
Yoshijiro Saito, trustee for Terumi Saito, P. O. Box 482, Waipahu, Oahu, T. H.	40580	16.99
Koichi Sakuma, 18 North Kukui St., Honolulu, T. H.	40581	1.10
Itsuyo Segawa or Itsuko Segawa, 1011-E Pawaa Lane, Honolulu 19, T. H.	40582	69.99
Shinajiro Shigemura, 1429 Nuuanu St., Honolulu, T. H.	40583	13.80
H. Onoye, sole owner of Shimaya Shoten, 1179 River St., Honolulu, T. H.	40584	$269.57
Takeichi Shintaku, guardian of Mieko Shintaku or Mrs. Tsuneko Shintaku, guardian of Hoshiko Shintaku, 2720 Booth Rd., Honolulu, T. H.	40585	119.95
Ruth Kinuye Yugawa (formerly Kinuye Noji), 717 Palani Ave., Honolulu 41, T. H.	40532	20.46
Yoshiko Okimoto (nee Sueoka) or Kiku Sueoka, 561 C Road, Damon Tract, Honolulu, T. H.	40587	116.17
Masajiro Takahashi, 410-A Liliha Court Lane, Honolulu, T. H.	40589	164.15
Minoru Takaki, P. O. Box 53, Puunene, Maui, T. H.	40590	605.63
Fukuye Tamura, 525 Lana Lane, Honolulu, T. H.	40591	575.28
Fumiko Tamura, 525 Lana Lane, Honolulu 13, T. H.	40593	11.43
Tamejiro Tanaka, 1149 Lunalilo St., Honolulu, T. H.	40596	216.95
Takiyo Tansako, 1933 Fort St., Honolulu, T. H.	40597	57.33
Kokichi Tsuyemura, 432 Kalihi St., Honolulu, T. H.	40598	170.16
Kamado Uyehara, 1924 Fern St., Honolulu, T. H.	40600	542.02
Ume Uyetake (now Ume Nekota) and Hyoichi Nekota, 2515 South King St., Honolulu 36, T. H.	40601	2,621.24
Kita Watanabe, 1463 River St., Honolulu, T. H.	40602	212.73
Yoshitaro Yamada or Teikichi Kanai, 1946 South Beretania St., Honolulu, T. H.	40603	172.58
N. Yamanishi, 1620-B Liliha St., Honolulu, T. H.	40605	8.01
Kame Yoshimoto, 471 "R" Road, Damon Tract, Honolulu, T. H.	40606	410.81
Mitsuko Yoshioka, 1738-C Waiola St., Honolulu, T. H.	40608	821.90
Sumito Yoshiura, guardian of Sadao Yoshiura, 113-A Ohelo Lane, Honolulu, T. H.	40609	6.42
Aigoro Uyeno, P. O. Box 4, Ninole, T. H.	40610	120.01
Mitsuye Yokota, c/o Miss Helen Kimball, Punaluu, Hauula, Oahu, T. H.	40611	165.81
Mitsuye Yokota, c/o Miss Helen Kimball, Punaluu, Hauula, Oahu, T. H.	40612	21.49

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 15, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2098; Filed, Mar. 18, 1949; 8:53 a. m.]

[Vesting Order 12902]

TADAMOTO OZAWA

In re: Debts owing to the personal representatives, heirs, next of kin, legatees and distributees of Tadamoto Ozawa, also known as T. Ozawa and as Tadamoto Osawa, deceased. F-39-6149-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Tadamoto Ozawa, also known as T. Ozawa and as Tadamoto Osawa, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation of R. Okubo and Suma Okubo, 1266 Matlock Avenue, Honolulu, T. H., in the amount of $665 as of January 2, 1948, evidenced by a note, in the principal sum of $1,500, dated June 22, 1935, issued by the aforesaid R. Okubo and Suma Okubo, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right of possession of, the aforesaid note, and

b. That certain debt or other obligation of National Mortgage & Finance Company, Limited, 1030 Smith Street, Honolulu, T. H., arising out of collections by the aforesaid National Mortgage & Finance Company, Limited, on account of the note described in subparagraph 2-a, herein, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Tadamoto Ozawa, also known as T. Ozawa and as Tadamoto Osawa, deceased, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Tadamoto Ozawa, also known as T. Ozawa and as Tadamoto Osawa, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2122; Filed, Mar. 21, 1949; 8:59 a. m.]